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EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/532,412

Applicant(s)

HULL ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 9/8/03.

This action is final.

2. Claims 1-40 are pending in this application. Claims 1, 9, 17, 25, 29, 33, and 37 are independent claims. In the amendment, filed on 3/5/04, claims 1, 9, 17, 25, 29, 33, and 37 were amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-26, 28-30, 32-34, 36-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Stucka et al.(US 5,596,702).

As per independent claim 1, Stucka et al. teaches a method comprising:

Extracting a first data from a display buffer, the first data generated by a first application and being associated with a user interface from the first application; (col 23 lines 62-67, col 24 lines 37-60)

Recognizing a layout from the first data; and

Using the layout to create an overlay to display a second data generated by a second application (col 26, lines 66-67, col 27, lines 1-5), wherein there is no direct link between the first application and the second application (col 4, lines 64-67, col 5, lines 1-2);

And wherein the first data is extracted from the display buffer without cooperation of the first application at runtime (col. 10, lines 44-68; Since the setting information of the user's interface is stored to a server and load from the server, therefore it is inherent that the cooperation of first application at runtime)

As per claim 2, which is dependent on claim 1, Stucka et al. teaches the method of claim 1, wherein recognizing the layout comprises performing a pattern recognition operation on the first data to create the layout (col 23 lines 62-67, col 24 lines 37-60).

As per claim 3, which is dependent on claim 1, Stucka et al. teaches the method of claim 1, wherein using the layout to create the overlay comprises:

Determining an overlay location on the layout to place the second data

Based on known information about the layout;

Generating the overlay of the layout;

Placing the second data in the overlay; and

Merging the overlay with the layout. (col 26, lines 66-67, col 27, lines 1-5).

As per claim 4, which is dependent on claim 3, Stucka et al. teaches the method of claim 3, wherein the overlay location has a context consistent with the second data (col 26, lines 66-67, col 27, lines 1-5).

As per claim 5, which is dependent on claim 4, Stucka et al. teaches the method of claim 4, wherein the context is provided by the first application, and wherein a user interacts with the second application using the context (col 26, lines 66-67, col 27, lines 1-5).

As per claim 6, which is dependent on claim 1, Stucka et al. teaches the method of claim 1, further comprising:

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Writing the overlay in the display buffer such that the second data is displayed at the overlay location without changing sections of the first data outside of the overlay location (col 23 lines 62-67, col 24 lines 37-60);

Displaying information in the display buffer; and

Interacting with the second application through the second data at the overlay location (col 26, lines 66-67, col 27, lines 1-5).

As per claim 7, which dependent on claim 1, Stucka et al. teaches the method of claim 6, further comprising running the first application in the background while interacting with the second application (col 26, lines 66-67, col 27, lines 1-5).

As per claim 8, which dependent on claim 1, Stucka et al. teaches the method of claim 1, wherein the first application runs independently from the second application (col 4, lines 64-67, col 5, lines 1-2).

As per independent claim 9, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 10, which is dependent on claim 9, it is of the same scope as claim 2. (See rejection above)

As per claim 11, which is dependent on claim 9, it is of the same scope as claim 3. (See rejection above)

As per claim 12, which is dependent on claim 9, it is of the same scope as claim 4. (See rejection above)

As per claim 13, which is dependent on claim 9, it is of the same scope as claim 5. (See rejection above)

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As per claim 14, which is dependent on claim 9, it is of the same scope as claim 6. (See rejection above)

As per claim 15, which is dependent on claim 14, it is of the same scope as claim 7. (See rejection above)

As per claim 16, which is dependent on claim 9, it is of the same scope as claim 8. (See rejection above)

As per independent claim 17, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 18, which is dependent on claim 17, it is of the same scope as claim 2. (See rejection above)

As per claim 19, which is dependent on claim 17, it is of the same scope as claim 3. (See rejection above)

As per claim 20; which is dependent on claim 17, it is of the same scope as claim 4. (See rejection above)

As per claim 21, which is dependent on claim 17, it is of the same scope as claim 5. (See rejection above)

As per claim 22, which is dependent on claim 17, it is of the same scope as claim 6. (See rejection above)

As per claim 23, which is dependent on claim 22, it is of the same scope as claim 7. (See rejection above)

As per claim 24, which is dependent on claim 17, it is of the same scope as claim 8. (See rejection above)

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As per independent claim 25, Stucka et al. a method, comprising:

Modifying data in a display buffer that is generated by a first application with data generated by a second application without cooperation of the first application at runtime (col. 10, lines 44-68; Since the setting information of the user's interface is stored to a server and load from the server, therefore it is inherent that the cooperation of first application at runtime), the first application running independently from the second application (col 23 lines 62-67, col 24 lines 37-60); and

Receiving input in response to user interactions with the second application through a user interface associated with the data generated by the first application, wherein the data generated by the second application is placed in a location in the user interface, wherein the location is contextually consistent with the data generated by the second application (col 26, lines 66-67, col 27, lines 1-5); and

As per claim 26, which is dependent on claim 25, Stucka et al. teaches the method of claim 25, wherein modifying data in the display buffer comprises:

Performing a pattern recognition operation on the data generated by the first application to create a layout (col 23 lines 62-67, col 24 lines 37-60); and

Forming an overlay with the layout and with predetermined information about a display corresponding to the user interface, the overlay used to determine placement of the data generated by the second application in the display (col 26, lines 66-67, col 27, lines 1-5).

As per claim 28, which is dependent on claim 26, it is of the same scope of claim 7. (See rejection above)

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As per independent claim 29, it is rejected with the same rationale as claim 25. (see rejection above)

As per claim 30, which is dependent on claim 29, it is of the same scope of claim 26. (See rejection above)

As per claim 32, which is dependent on claim 29, it is of the same scope of claim 7. (See rejection above)

As per independent claim 33, it is rejected with the same rationale as claim 25. (see rejection above)

As per independent claim 34, Stucka et al. teaches the computer system of claim 33, wherein modifying data in the display buffer comprises:

Performing a pattern recognition operation on the data generated by the first application to create a layout (col 23 lines 62-67, col 24 lines 37-60); and

Forming an overlay with the layout and with predetermined information about a display corresponding to the user interface, the overlay used to determine placement of the data generated by the second application in the display (col 26, lines 66-67, col 27, lines 1-5).

As per claim 36, which is dependent on claim 34, it is of the same scope of claim 7. (See rejection above)

As per independent claim 37, Stucka et al. teaches a method comprising:
Reading raster data from a raster display buffer containing an image generated by a first application wherein the first data is extracted from the display buffer without cooperation of first application at runtime; (col. 10, lines 44-68; Since the setting information of the user's interface

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is stored to a server and load from the server, therefore it is inherent that the cooperation of first application at runtime)

Performing a pattern recognition on the image to generate a pattern (col 23 lines 62-67, col 24 lines 37-60);

Applying predetermined information about the image with the pattern to determine a layout of the image;

Generating an overlay using the layout of the image; and

Placing data generated by a second application on the overlay (col 26, lines 66-67, col 27, lines 1-5).

As per claim 38, which is dependent on claim 37, Stucka et al. teaches the method of claim 37, further comprising writing the overlay into the raster display buffer (col 26, lines 66-67, col 27, lines 1-5).

As per claim 39, which is dependent on claim 37, Stucka et al. teaches the method of claim 37, wherein the image comprises a user interface from the first application, and wherein a user interacts with the second application through the user interface while the first application runs in the background (col 4, lines 64-67, col 5, lines 1-2).

As per claim 40, which is dependent on claim 39, Stucka et al. teaches the method of claim 39, wherein while the user interacts with the second application, the first application has no control of input received from the user (col 4, lines 64-67, col 5, lines 1-2).

4. Claims 27, 31, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stucka et al. (US. 5,596,702) further in view of Kahl et al. (U.S 5,936,625).

As per claim 27, which is dependent on claim 26, Stucka et al. teach claim 26, however Stucka et al. fail to teach layout comprises of grid cells corresponding to display areas in the user interface, and wherein the data generated by the second application is placed in the grid cell. Kahl et al. teaches a graphical user interface layout comprises of grid cell corresponding to display areas in the user interface (See fig. 3). It would be have been obvious to an artisan at the time of the invention to include Kahl's teaching with the method of Stucka et al. in order to transfer the graphical user interface of one calendar to that of another calendar.

As per claim 31, which is dependent on claim 30, it is of the same scope as claim 27. (See rejection above).

As per claim 35, which is dependent on claim 34, it is of the same scope as claim 27. (See rejection above).

Response to Argument

Applicant's arguments filed on 8/20/04 have been fully considered but they are not persuasive.

Applicant's argument focused on the following

- 1) Applicant argues that Stucka fails to teach extracting data from a buffer.
- 1) Examiner disagrees. Contrary to Applicant's assertion, working RAM, specifically dedicated to display operations, as disclosed by Stucka, is commonly used as a display buffer. Consider embedded systems in which the video card does not have on-board RAM, of necessity, the working RAM must be used for a display buffer. In fact, this was the standard operation before on-board RAM was integrated into video cards. Furthermore, Stucka teaches RAM to be used by any of the elements shown on the Figure 2, and these element included user interface server

(UIS), window management system, working memory area (WMA), display buffer... Stucka clearly stated, "The working memory area (WMA) may be partitioned amongst the elements and within an element." (col. 8, lines 13-15) Therefore, it is logical to conclude that when system extracts the component and layout of a interface from a working memory or WMA, (fig. 6c), that system is in fact extracting data from a display buffer or any elements that are showed on the figure. 2.

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Specifically, Examiner is bound by MPEP 2111.01 to read claims as broadly as possible. Thus, working RAM, dedicated to display operations, reads on to a display buffer.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke



SYD. LUU